

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA**

In Re:	Case No.: 25-30004
The Ruins, LLC,	Chapter 11
Debtor.	

REQUEST FOR HEARING

Red River State Bank (“Creditor”), a secured creditor of The Ruins, LLC (“Debtor”) previously filed a motion for relief from the automatic stay (the “Motion”). [ECF 58] In support of the Motion, Creditor has also submitted: the Affidavit of Joshua W. Luther, Vice President for CBRE Valuation and Advisory Services (the “CBRE Affidavit”)[ECF 59]; the Affidavit of Matt Gehrtz, Principal Construction Manager at Gehrtz Construction Services, Inc (the “GCS Affidavit”)[ECF 60]; and the Affidavit of Charles Aarestadt (the “RRSB Affidavit”) [ECF 61]. Creditor subsequently filed additional affidavits and declarations in support of the Motion. [ECF 84-91, 95-98, 101-102, 104-105].

Debtor initially filed an objection. [ECF 66] Two other mechanic lienholders also filed objections. [ECF 67-68]. Creditor filed a reply brief. [ECF 74] The Court set the Motion for an evidentiary hearing on September 29, 2025. [ECF 69] Debtor has now withdrawn its opposition to the Motion. [ECF 106]

Creditor respectfully requests that the hearing go forward on September 29, 2025, notwithstanding Debtor’s new position, to allow Creditor to introduce evidence and create a

record in support of the Motion. First, the Motion is still opposed by two mechanic lienholders and thus a hearing is appropriate under 11 U.S.C. § 102. The other two opposing creditors should have an opportunity to hear the evidence collected by RRSB during discovery before they decide whether to support or oppose the Motion. Second, Debtor's last-minute reply brief is a clear attempt to evade Creditor's first opportunity to set the record straight and introduce evidence to this Court about the very real cost of the Debtor's delay, mismanagement and bad faith conduct to all of the stakeholders in this case.

Dated: September 26, 2025

VOGEL LAW FIRM

BY: /s/ Kesha L. Tanabe

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CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2025, the following documents:

REQUEST FOR HEARING

were filed electronically with the Clerk of Court through ECF, and that ECF will send a Notice of Electronic Filing (NEF) to all parties who are registered to receive e-notices in this case.

Dated: September 26, 2025.

VOGEL LAW FIRM

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